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PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

HAWKINS, Michael, Howard
Baldwin Shelston Waters
P.O. Box 852
Wellington 6001
NOUVELLE-ZÉLANDE

Date of mailing (day/month/year) 27 March 2001 (27.03.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference JT214573/142	
International application No. PCT/NZ00/00126	International filing date (day/month/year) 14 July 2000 (14.07.00)

1. The following indications appeared on record concerning:		
<input type="checkbox"/> the applicant	<input type="checkbox"/> the inventor	<input checked="" type="checkbox"/> the agent
<input type="checkbox"/> the common representative		
Name and Address	State of Nationality	State of Residence
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:		
<input checked="" type="checkbox"/> the person	<input checked="" type="checkbox"/> the name	<input checked="" type="checkbox"/> the address
<input type="checkbox"/> the nationality <input type="checkbox"/> the residence		
Name and Address HAWKINS, Michael, Howard Baldwin Shelston Waters P.O. Box 852 Wellington 6001 New Zealand	State of Nationality	State of Residence
	Telephone No. (04) 472-1094	
	Facsimile No. (04) 473-6712	
	Teleprinter No.	
3. Further observations, if necessary: A new agent has been appointed. Please note that the agent's file reference has changed as well.		
4. A copy of this notification has been sent to:		
<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned	
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned	
<input checked="" type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer F. Baechler Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

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NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

TAYLORS ENGINEERING (BLENHEIM)
LIMITED
47 Grove Road
Blenheim
NOUVELLE-ZÉLANDE

Date of mailing (day/month/year) 07 March 2001 (07.03.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 10563	
International application No. PCT/NZ00/00126	International filing date (day/month/year) 14 July 2000 (14.07.00)

1. The following indications appeared on record concerning:	
<input type="checkbox"/> the applicant	<input type="checkbox"/> the inventor <input checked="" type="checkbox"/> the agent <input type="checkbox"/> the common representative
Name and Address BUCHANAN, Elspeth, Victoria P.L. Berry & Associates P.O. Box 1250 Christchurch New Zealand	State of Nationality
	State of Residence
	Telephone No.
	Facsimile No.
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:	
<input checked="" type="checkbox"/> the person <input type="checkbox"/> the name <input type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence	
Name and Address TAYLORS ENGINEERING (BLENHEIM) LIMITED 47 Grove Road Blenheim New Zealand	State of Nationality
	State of Residence
	Telephone No.
	Facsimile No.
3. Further observations, if necessary:	
4. A copy of this notification has been sent to:	
<input checked="" type="checkbox"/> the receiving Office	<input checked="" type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input type="checkbox"/> the elected Offices concerned
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer C. Cupello
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

INTERNET COOPERATION TREATY
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

REC'D 13 NOV 2001

PCT

14

Applicant's or agent's file reference JT214573-142	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/NZ00/00126	International Filing Date (<i>day/month/year</i>) 14 July 2000	Priority Date (<i>day/month/year</i>) 16 July 1999
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ B65G 65/23, 69/16		
Applicant TAYLORS ENGINEERING (BLENHEIM) LIMITED et al		

1.	This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of 4 sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of 5 sheet(s).
3.	This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 16 February 2001	Date of completion of the report 7 November 2001 - 9 NOV 2001
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer M.J. O'ROURKE Telephone No. (02) 6283 2017

I. Basis of the report

1. With regard to the **elements** of the international application:*
- ☐ the international application as originally filed.
- ☒ the description, pages **1 to 8**, as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☒ the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages **9 to 13**, received on **3 July 2001** with the letter of **3 July 2001**
- ☒ the drawings, pages **1 to 4**, as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of
2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished
4. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 5 to 7 and 9 to 22	YES
	Claims 1 to 4 and 8	NO
Inventive step (IS)	Claims 14 to 22	YES
	Claims 14 to 22	NO
Industrial applicability (IA)	Claims 1 to 22	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The following documents were identified in the International Search Report:

- D1. DE 3238245
- D2. DE 3616700
- D3. EP 264925
- D4. US 5193882

The following documents are New Citations. These have become relevant due to the substantial nature of the amendments to the claims since the International Search Report:

- D5. EP 242820 A (OSAKA TAIYU CO LTD) 28 October 1987
- D6. WO 95/18759 A (WASTECH DEVELOPMENTS PTY LTD) 13 July 1995
- D7. FR 2539143 A (DEGUILLAUME) 13 July 1984
- D8. US 5306110 A (CLINE) 26 April 1994

Novelty - Claims

Claims 1 to 4 and 8 are not novel in light of the above documents.

The device of D1 has a support structure, and a receptacle with an opening in one end, the receptacle being rotatable about a pivotal connection with the support, as illustrated in the figures. The English language abstract (Derwent Abstract Accession No. 84-106156/18 Class. Q35, Q38) states at the end of the first paragraph "at the top of travel, the bin is swung about the axis of the hinge in a controlled path for complete discharge". The manner of the discharge is therefore "controlled", admittedly not in the sense that the discharge in the present claims is intended to be controlled, but controlled nonetheless.

The device of D2 similarly anticipates claim 1. The vehicles of D3 and D4 anticipate claim 1 and claims 3 and 4 (a pair of hydraulic actuators).

D5 anticipates claims 1 to 4. The collar comprises holding members 7 and 8. The rotating is controlled by the hydraulic actuators.

(Continued in Supplemental Box)

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of Box V

D6 is discussed in the specification, but nevertheless anticipates claims 1 and 3. The hydraulic actuator controls the rotation of the receptacle. In the specification this document is distinguished from the claimed invention in that "the rate which the bin is lifted and inverted is not controlled in any way" - but this is not a claimed limitation. Even if it were to become a claimed limitation, dumping the rubbish out of the bin quickly is nevertheless a particular manner of controlling the rate at which the bin is lifted and inverted.

D7 discloses a winemaking vessel with discharging piston. The contents of this vessel can be broadly considered as "grape material". This document anticipates claims 1, 3 and 8.

D8 anticipates claims 1 and 2. The collar is clearly illustrated.

Claim 1 includes the limitation "for handling grape material". This does not substantially limit the type of containers that fall within the scope of claim 1. Many containers are intrinsically suitable for handling grape material. There is no requirement for the documents to explicitly mention suitability for handling grape material. As long as the containers would be suitable for handling the grape material, this requirement is met.

Inventive Step - Claims 3, 8, 9, 11 and 12

Claim 3 lacks an inventive step in light of D1. Use of hydraulics is well known and not inventive.

Claim 8 lacks an inventive step in light of any one of documents D1 to D8 considered separately. Claim 8 concerns tipping grape material from one receptacle to another. In addressing such a problem, a skilled person would ascertain any documents concerning tipping and emptying of containers, and in particular, would have found these documents. Supplying grape material using the device of any one of these documents directly anticipates each and every feature of claim 8. Hence claim 8 lacks an inventive step.

Claims 9, 11 and 12 also lack an inventive step in light of any one of these documents. These claims represent only standard aspects of wine making and grape handling, and are therefore obvious additions.

In particular, claims 9, 11 and 12 lack an inventive step in light of D7. These are obvious uses of the winemaking vessel disclosed in this document.

Claims 5 and 13 lack an inventive step in light of either D5 or D8, considered individually. These documents disclose all of the claimed features, except that in the case of claim 5, the rams are not connected to the collar, and in the case of claim 13, the container is not supported clear of the ground. However, this minor variation is well within the ordinary capacity of a person skilled in the art, and hence is no more than an obvious and non-inventive feature.

Claims 6, 7 and 10 lack an inventive step in light of any one of documents D1 to D8, when considered individually. These claims differ from the disclosure of the citations in that they define more than one receptacle. The addition of a further receptacle is a non-inventive variation, well within the capacity of an ordinary person skilled in the art, with obvious advantages, and hence lacks an inventive step.

CLAIMS

1. An apparatus for handling grape material including:
 - a support structure;
 - 5 a receptacle for containing a grape material having an opening at one end and being rotatable about a pivotal connection with the support structure; and
 - an actuator for rotating the receptacle in a controlled manner from an upright position in which a grape material may be contained in the receptacle to a tipped position in which the contents of the receptacle may be emptied via the opening.
- 10 2. An apparatus as claimed in claim 1 wherein the receptacle includes a collar that is pivotally connected to the support structure and wherein the actuator rotates the collar with respect to the support structure.
- 15 3. An apparatus as claimed in claim 1 or claim 2 wherein the actuator is an hydraulic actuator.
- 20 4. An apparatus as claimed in any one of the preceding claims wherein the actuator comprises a pair of rams provided on either side of the receptacle, each connected at one end to the support structure and at the other end to the receptacle at a point away from the pivotal connection.
- 25 5. An apparatus as claimed in claim 4 wherein the hydraulic rams are connected to the collar.
- 30 6. An apparatus as claimed in any one of the preceding claims wherein the support structure supports a plurality of receptacles which each tip their contents into a common region.

7. An apparatus as claimed in claim 6 wherein a pair of receptacles are provided in an opposing configuration and empty their contents into a region between the two receptacles.

5 8. A method of supplying grape material from a bulk receptacle to a receiving receptacle including the steps of:

- i) supplying grape material to the bulk receptacle; and
- ii) actuating an actuator which tilts the bulk receptacle relative to the support frame in a controlled manner to deliver the grape material directly or indirectly to a receiving receptacle.

10 9. A method as claimed in claim 8 wherein the bulk receptacle is tilted in a number of steps in order to supply grape material to the receiving receptacle at a desired rate.

15 10. A method as claimed in claim 9 or claim 10 wherein a plurality of bulk receptacles are employed and grape material is sequentially supplied from each bulk receptacle to supply grape material to the receiving receptacle.

20 11. A method as claimed in any one of claims 8 to 10 wherein the receiving receptacle is a press.

25 12. A method as claimed in any one of claims 8 to 10 wherein the receiving receptacle is a conveyor.

30 13. The combination of apparatus for emptying a receptacle, and a receptacle, comprising:

a stationary support frame adapted to be supported upon the ground or equivalent supporting surface, said support frame providing a framework which at least partially surrounds the receptacle;

securing means for securing said receptacle to said support frame, such that said receptacle is suspended in a substantially upright position clear of the ground and of said framework; said securing means including a collar which at least partially surrounds said receptacle and is secured thereto; said collar being pivoted to said support frame;

moving means mounted between said collar and said support frame; said moving means being operable to move said receptacle relative to said support frame such that said receptacle may be tilted in a controlled manner between a first, substantially upright, position within said support frame and a second, raised and inclined, position outside of said support frame.

14. The combination as claimed in claim 13 comprising a cat walk rigidly secured to said support frame at just below the level of the top of the receptacle in said second position.

15. The combination as claimed in claim 13 or claim 14 wherein said support frame is dimensioned and arranged to provide one or more supporting legs beneath the point of balance of the receptacle in said second position.

16. The combination as claimed in any one of claims 13 to 15, further comprising a gantry rigidly secured to said support frame, said gantry extending horizontally just below the level of the top of the receptacle in said second position.

17. The combination as claimed in claim 16 wherein said gantry supports a pouring guide which is vertically below an outlet in or adjacent the top of the receptacle, when said receptacle is in said second position.

18. The combination as claimed in claim 16 or claim 17 wherein

the end of the gantry remote from said support frame is securable to a wall, the ground or equivalent support.

5 19. The combination of apparatus for emptying two receptacles, and two receptacles, comprising;

a pair of opposed stationary support frames each adapted to be supported upon the ground of equivalent supporting surface, one support frame providing a framework which at least partially surrounds one of the receptacles, and the other support frame
10 providing a framework which at least partially surrounds the other of the receptacles;

securing means for securing each receptacle to the corresponding support frame, such that said receptacle is suspended in a substantially upright position clear of the ground and of said corresponding framework; each said securing means
15 including a collar which at least partially surrounds said corresponding receptacle and is secured thereto; each said collar being pivoted to said corresponding support frame;

moving means mounted between each said collar and said
20 corresponding support frame; each said moving means being operable to move said corresponding receptacle relative to said corresponding support frame such that said receptacle may be tilted in a controlled manner between a first, substantially upright, position within said corresponding support frame and a second,
25 raised and inclined, position outside of said corresponding support frame; and

a gantry rigidly secured between said opposed support frames, said gantry extending horizontally just below the level of the top of said receptacles in said second position.

30

20. The combination as claimed in claim 19 wherein said gantry supports a pouring guide, which is positioned so as to be vertically below an outlet in or adjacent the top of either of the receptacles,

when said receptacle is in said second position.

21. The combination as claimed in claim 19 or 20, wherein said gantry also provides one or more cat walks.

5

22. The combination as claimed in any one of claims 13 to 21 wherein the or each said moving means comprises a pair of spaced hydraulic rams.

10

TSPEC66621

INTERNATIONAL SEARCH REPORT

International application No.
PCT/NZ00/00126

A. CLASSIFICATION OF SUBJECT MATTER												
Int. Cl. ⁷ : B65G 65/23, 69/16												
According to International Patent Classification (IPC) or to both national classification and IPC												
B. FIELDS SEARCHED												
Minimum documentation searched (classification system followed by classification symbols) B65G, B65D												
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched AU B65G 65/23, 69/16												
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI												
C. DOCUMENTS CONSIDERED TO BE RELEVANT												
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.										
X	DE 3238245 A (OTTO DIETERLE MASCHINENBAU GMBH & CO KG) 26 April 1984 whole document	1 to 3										
X	DE 3616700 C1 (BODRICH & STRECKER) 8 October 1987 Whole document	1 to 3										
X	EP 264925 A (NORMANN BOCK) 27 April 1988 Whole document	1 to 3										
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex												
<p>* Special categories of cited documents:</p> <table border="0"> <tr> <td>"A" document defining the general state of the art which is not considered to be of particular relevance</td> <td>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"E" earlier application or patent but published on or after the international filing date</td> <td>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"O" document referring to an oral disclosure, use, exhibition or other means</td> <td>"&" document member of the same patent family</td> </tr> <tr> <td>"P" document published prior to the international filing date but later than the priority date claimed</td> <td></td> </tr> </table>			"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family	"P" document published prior to the international filing date but later than the priority date claimed	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention											
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone											
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art											
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family											
"P" document published prior to the international filing date but later than the priority date claimed												
Date of the actual completion of the international search 24 November 2000		Date of mailing of the international search report 30 NOV 2000										
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929		Authorized officer M.J. O'ROURKE Telephone No : (02) 6283 2017										

INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ00/00126

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5193882 A (GAMALDI) 16 March 1993 Whole document	1 to 3

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/NZ00/00126

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report			Patent Family Member				
DE	3238245	NIL					
DE	3616700	NIL					
EP	264925	DE	3636037	US	5082416		
US	5193882	AU	26020/92	DE	4232541	FR	2681820.
		IT	1263294	US	5193882	CA	2079527
END OF ANNEX							